



595 Menlo Drive, Rocklin, CA 95765  
Tel 800 900 9478 Fax 888 900 9477

January 15, 2013

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

*Re: Telecommunications Relay Service and Speech-to-Speech Services for Individuals with  
Hearing and Speech Disabilities, CG Docket No. 03-123*

Dear Ms. Dortch:

Purple Communications, Inc. supports an interim rule consistent with the bifurcated proposal submitted by Hamilton Relay on January 14, 2013, under which: (a) any consumer who accepts a free or de minimis-cost IP CTS telephone or device must provide a certification from a qualified third-party (ie, audiologist) to be eligible to use IP CTS, and (b) any consumer who legitimately purchases an IP CTS telephone for more than de minimis cost would be eligible to use IP-CTS through only self-certification. Purple believes that a consumer's personal investment in a special-purpose caption-enabled device demonstrates a need for IP-CTS services.

For clarity, Purple does not believe that "softphone" usage in connection with an off-the-shelf computing device or mobile phone, is exposed to the type of misuse that the Commission seeks to address with its contemplated order, and should be excluded from any third-party certification requirement.

Consistent with previous filings, Purple continues to strongly support a requirement that all existing and new special-purpose IP-CTS enabled phones be subject to a "default-off" requirement to be eligible for reimbursement. However, Purple supports an exception to this requirement to allow a consumer-initiated "default-on" setting for consumers whose caption-enabled phones are located in an environment that does not give rise to a likelihood of misuse. Such users would provide an elevated certification to the effect that: (a) they understand that the captioning service they enjoy free of charge is provided by a live CA dedicated to each of their captioned calls, and reimbursed by the TRS Fund, (b) their device is not accessed by or easily accessible to ineligible users, and (c) they will not permit the use of captions on their device by any ineligible persons. This additional level of certification would allow eligible users (such as those who have their own phone for exclusive use in the home or in a private office) to more effectively access captioning services without a connection delay to the CA that frequently occurs with manual service initiation, and without exposing the Fund to a likelihood of abuse.

Purple also continues to support a prohibition on direct or indirect referral fees paid by providers to third parties in connection with new registrations, and encourages the Commission to solicit further comment on other methods of effectively ensuring IP-CTS user eligibility.

We remain available to address any questions the Commission staff may have related to the above.

Sincerely,

**PURPLE COMMUNICATIONS, INC.**



John Goodman  
Chief Legal Officer

CC: Elizabeth Andrion ([elizabeth.andrion@fcc.gov](mailto:elizabeth.andrion@fcc.gov))  
Erin McGrath ([erin.mcgrath@fcc.gov](mailto:erin.mcgrath@fcc.gov))  
Angela Kronenberg ([angela.kronenberg@fcc.gov](mailto:angela.kronenberg@fcc.gov))  
Christine Kurth ([christine.kurth@fcc.gov](mailto:christine.kurth@fcc.gov))  
Priscilla Delgado Argeris ([priscilla.argeris@fcc.gov](mailto:priscilla.argeris@fcc.gov))  
Nicholas Degani ([Nicholas.degani@fcc.gov](mailto:Nicholas.degani@fcc.gov))  
Sean Lev ([sean.lev@FCC.gov](mailto:sean.lev@FCC.gov))  
Suzanne Tetreault ([suzanne.tetreault@fcc.gov](mailto:suzanne.tetreault@fcc.gov))  
Kris Monteith ([kris.monteith@fcc.gov](mailto:kris.monteith@fcc.gov))  
Karen Peltz Strauss ([karen.strauss@fcc.gov](mailto:karen.strauss@fcc.gov))  
Robert Aldrich ([robert.aldrich@fcc.gov](mailto:robert.aldrich@fcc.gov))  
Gregory Hlibok ([gregory.hlibok@fcc.gov](mailto:gregory.hlibok@fcc.gov))  
Jonathan Chambers ([jonathan.chambers@fcc.gov](mailto:jonathan.chambers@fcc.gov))  
David Robbins ([david.robbins@fcc.gov](mailto:david.robbins@fcc.gov))  
Eliot Greenwald ([eliot.greenwald@fcc.gov](mailto:eliot.greenwald@fcc.gov))